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REMARKS

The March 29, 2006 Office Action withdrew claims 36-40 from consideration as being directed to a non-elected invention. See Office Action, p. 2. Since the Applicants' response had relied on the prior December 5, 2005 Office Action's indication that claims 36-40 were either allowed or objected to, the Applicants cancelled previously pending claims 26-35. See Response dated February 3, 2006, and Response dated March 13, 2006.

After the issuance of the March 29, 2006 Office Action, Attorney for the Assignee, Christopher J. Chan, contacted Examiner Smith regarding the Office Action withdrawal of claims 36-40. The Examiner indicated that the restriction requirement of the December 5, 2005 Office Action had been improper, and that claims 36-40 subsequently added by amendment were directed to an allegedly patentably distinct species of Figures 8 and 9. Examiner Smith indicated that any of prior cancelled claims 26-35 could be added by amendment and such claims would be considered for examination.

After entry of the present amendment, new claims 41-50 are currently pending in the application. Claims 41-50 are substantially similar to the cancelled previously pending claims 26-35. Applicants reserve the right to file a divisional or continuation applications for the withdrawn claims 36-40. No new matter has been introduced into the specification. Arguments traversing the claim rejections stated in the Office Action mailed June 26, 2005 are presented in the below remarks.

I. ANTICIPATION REJECTION UNDER CASTEL, KULOW, OR LEWIS

The June 26, 2005 Office Action rejected claims 26-35 under 37 C.F.R. § 102(b) as being clearly anticipated by *Castel* or *Kulow, et al.* or *Lewis Jr.* This rejection is respectfully traversed as follows with respect to claims 41-50.

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The June 26, 2005 Office Action merely reiterates arguments from a prior office action without providing any basis that the cited references *necessarily function* in the manner recited in the Applicants' claims. Furthermore, the cited art must, in its normal and usual operation, necessarily perform the claimed method. See M.P.E.P. 2112.02. The Office Action does not provide any showing that the cited art, in its normal and usual operation, necessarily performs the Applicants' claimed methods. For example, none of the cited references specifically teach or suggest all of the elements in claim 41, including "directing at least some of the ultrasonic waves toward a second surface of the body capable of reflecting ultrasonic waves; and reflecting at least some of the emitted ultrasonic waves off of the second body surface and toward the wound such that at least some of the reflected ultrasonic waves contact the wound to promote healing thereof." For at least these reasons, the anticipation rejection is respectfully traversed.

III. THE OBVIOUSNESS UNDER FOX IN VIEW OF THOMPSON OR PELLICO

The June 26, 2005 Office Action rejected claims 26-35 under 37 C.F.R. § 103(a) as being unpatentable over U.S. Patent No. 4,787,888 to *Fox* in view of *Thompson et al.* or *Pellico*. This rejection is respectfully traversed as follows with respect to claims 41-50.

The Office Action merely reiterates arguments from the prior office action without providing any basis that the cited references *necessarily function* in the manner recited in the Applicants' claims. Furthermore, the cited art must, in its normal and usual operation, necessarily perform the claimed method. See M.P.E.P. 2112.02. The Office Action does not provide any showing that the cited art, in its normal and usual operation, necessarily performs the Applicants' claimed methods. For example, none of the cited references specifically teach or suggest all of the elements in claim 41, including "directing at least some of the ultrasonic waves

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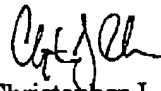
toward a second surface of the body capable of reflecting ultrasonic waves; and reflecting at least some of the emitted ultrasonic waves off of the second body surface and toward the wound such that at least some of the reflected ultrasonic waves contact the wound to promote healing thereof." For at least these reasons, the obviousness rejection is respectfully traversed.

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CONCLUSION

Assignee respectfully submits that claims 41-50 are in condition for immediate allowance, and requests early notification to that effect. If any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned attorney for the Assignee at 404.815.6048 to arrange for a telephone interview prior to issuance of an Office action.

Respectfully submitted,



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Date: **29 JUNE 2006**

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